

court a libel praying seizure and condemnation of two cases of canned clams at Fall River, Mass.; alleging that the article had been shipped in interstate commerce on or about October 15, 1938, by Black & Gay Cannery, Inc., from Thomaston, Maine; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mount Hope Fancy Maine Clams * * * Economy Wholesale Grocery Co. Distributors Fall River, Mass."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 17, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30456. Adulteration of frozen fish. U. S. v. 54 Boxes and 495 Boxes of Red Perch Fillets. Default decrees of condemnation. Portion of product destroyed; remainder disposed of for fertilizer. (F. & D. Nos. 44869, 44892. Sample Nos. 53278-D, 54511-D, 54515-D.)

This product was infested with parasitic worms.

On or about February 17 and April 4, 1939, the United States attorneys for the Eastern District of Missouri and the Eastern District of Michigan, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 54 boxes of perch fillets at St. Louis, Mo., and 495 boxes of perch fillets at Detroit, Mich.; alleging that the article had been shipped in interstate commerce on or about January 31 and February 10, 1939, by Commonwealth Ice & Cold Storage Co. from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On April 5 and 13, 1939, no claimant having appeared, judgments of condemnation were entered. The lot seized at St. Louis was ordered destroyed and that seized at Detroit was ordered delivered to a Government institution to be used for fertilizer.

M. L. WILSON, *Acting Secretary of Agriculture.*

30457. Adulteration of frozen fish. U. S. v. 1,000 Boxes of H & G Whiting. Consent decree of condemnation and destruction. (F. & D. No. 45021. Sample No. 31194-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in part decomposed.

On March 14, 1939, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,000 boxes of fish at Denver, Colo., consigned by American Fish Co.; alleging that the article had been shipped on or about February 27, 1939, from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "H & G Whiting."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On March 25, 1939, the American Fish Co., owner, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30458. Adulteration of tomato catsup. U. S. v. 69 Cases of Tomato Catsup (and 6 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44657, 44658, 44659, 44695, 44747, 44796, 44981. Sample Nos. 28189-D, 37780-D, 39811-D, 50544-D, 50549-D, 50580-D, 50911-D, 62520-D.)

Samples of this product were found to contain worm and insect fragments.

Between January 11 and March 8, 1939, the United States attorneys for the Western and Eastern Districts of Washington, the District of Oregon, and the Southern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 624 cases of tomato catsup in various lots at Seattle, Yakima, and Spokane, Wash., Portland, Oreg., and Mobile, Ala.; alleging that the article had been shipped within the period from on or about October 25, 1938, to on or about January 9, 1939, by Val Vita Food Products, Inc., in part from Fullerton, Calif., and in part from Los Angeles, Calif.; and charging adulteration in violation of the Food and Drugs Act. Certain lots were labeled in part: "Val